

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION  
- - -

UNITED STATES OF AMERICA, : Case No. 1:18-cr-0043  
:  
Plaintiff, :  
:  
- v - : **Jury Trial**  
:  
YANJUN XU, also known as XU : Thursday, November 4, 2021  
YANJUN, also known as QU HUI, : 9:30 a.m.  
also known as ZHANG HUI, :  
: Cincinnati, Ohio  
Defendant. :

- - -

TRANSCRIPT OF PROCEEDINGS  
BEFORE THE HONORABLE TIMOTHY S. BLACK, DISTRICT JUDGE

For the Plaintiff: TIMOTHY S. MANGAN, ESQ.  
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and

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Also Present: Mae Harman, Interpreter  
Robin Murphy, Interpreter  
Yanjun Xu, Defendant

Law Clerk: Cristina V. Frankian, Esq.

Courtroom Deputy: Rebecca R. Santoro

Court Reporter: M. Sue Lopreato, RMR, CRR  
Potter Stewart U.S. Courthouse  
Southern District of Ohio  
100 East Fifth Street  
Cincinnati, Ohio 45202  
513.564.7679

- - -

1 P R O C E E D I N G S

2 (In open court at 9:30 a.m.)

3 - - -

4 THE COURT: Good morning. Please be seated. It's a  
5 couple minutes toward 9:30. All jurors are here. I'm  
6 prepared to call for them to briefly welcome them, admonish  
7 them, send them upstairs.

8 Is there anything that requires the Court's attention  
9 before we get the jury, first from the government?

10 MR. MANGAN: No, Your Honor.

11 THE COURT: Defense?

12 MR. KOHNEN: No, Your Honor.

13 THE COURT: Very well. Both teams are here in full.  
14 Defendant is here with both interpreters.

15 Let's call for the jury, please.

16 (Jury in at 9:32 a.m.)

17 THE COURT: Thank you. You may all be seated.

18 Twelve members of the jury have rejoined us on the record  
19 in the courtroom. Good morning. Thank you for being here  
20 timely.

21 I told you this would be brief. I just wanted to count  
22 noses, and I count 12. You're all here.

23 Your work, pursuant to the Constitution, begins again  
24 today. Make sure everyone has a chance to talk and express  
25 their opinion. Take whatever time you need.

1           If, during the proceedings, you need to take a break,  
2           somebody needs to, God forbid, smoke a cigarette, or go to the  
3           bathroom or something, you're welcome to take a break.

4           But during the break, do not discuss the case until all  
5           12 of you are back together. You don't have to ask my  
6           permission to take the break. The foreperson will direct you.

7           Are you ready to go?

8           Out of respect for you, we'll rise as you leave.

9           (Jury out to deliberate at 9:33 a.m.)

10           THE COURT: The jury's left the room. Doors are  
11           closing. They look ready to go.

12           I'm prepared to recess, unless there's something further.  
13           Anything from the government?

14           MR. MANGAN: No, Your Honor. Thank you.

15           THE COURT: The defense?

16           MR. KOHNEN: No. Thank you, Judge.

17           THE COURT: We need a cell phone where we can get you  
18           immediately, and I suspect Ms. Frankian has that. You'll make  
19           sure that she does, and we'll await to hear from the jury.

20           Thank you all. We're in recess until that time.

21           (Recess.)

22           THE COURT: We're back on the record, in the  
23           courtroom. It's a couple of minutes before 4:30. I  
24           understand the jury is ready to go home at 4:30.

25           The government team is here in full. The defense team is

1 here in full, defendant and two interpreters.

2 Are we ready to get the jury from the government's  
3 perspective?

4 MR. MANGAN: Yes, Your Honor.

5 THE COURT: And the defense?

6 MR. KOHNEN: Yes, Your Honor.

7 THE COURT: Very well. Let's call for the jury.

8 (Jury in at 4:32 p.m.)

9 THE COURT: Thank you. You may all be seated. The  
10 12 members of the jury have rejoined us. It's 4:30.

11 I'm advised that you're ready to break at our normal  
12 break time. You've had a good full day. It's a credit to  
13 you.

14 I'd ask you be back again, as you were today, by 9:15 so  
15 we can get you timely at 9:30 just to come in to the courtroom  
16 for me to count noses and send you back upstairs. Don't  
17 start talking about the case until you've seen me after 9:30.

18 And tonight, absolutely no discussing the case among  
19 yourselves as you leave, anybody at home, no looking at the  
20 news. Continue to stay focused on the fact that you're not to  
21 talk about it until you've reached your final verdict.

22 Out of respect for you, we'll rise as you leave for the  
23 day.

24 (Jury out at 4:33 p.m.)

25 THE COURT: The jury has left the room. The door is

1 closed. They're leaving for the day, so are we.

2 I'd ask that you be back here in time for us to have the  
3 jury in the courtroom at 9:30.

4 Anything else before we break for the day from the  
5 government?

6 MR. MANGAN: No, Your Honor.

7 THE COURT: Defense?

8 MR. KOHNEN: No. Thank you, Judge.

9 THE COURT: Very well. We're in recess until  
10 tomorrow.

11 (Proceedings adjourned at 4:34 p.m.)

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13 C E R T I F I C A T E

14 - - -

15 I, M. SUE LOPREATO, RMR, CRR, certify that the foregoing  
16 is a correct transcript from the record of proceedings in the  
17 above-entitled matter.

18 /s/ M. Sue Lopreato  
19 M. SUE LOPREATO, RMR, CRR  
20 Official Court Reporter

April 22, 2022

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